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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/078,188

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Laura A. Werner

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03/27/2006

Zilka-Kotab, PC

P.O. BOX 721120

SAN JOSE, CA 95172-1120

EXAMINER

SERROU, ABDELALI

ART UNIT

PAPER NUMBER

2626

DATE MAILED: 03/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/078,188

Applicant(s)

WERNER, LAURA A.

Examiner

Abdelali Serrou

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 5,6,8,11,12,20,22 and 24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,7,9,10,13-19,21 and 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/30/05</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. In response to the office action from 08/31/2005, the applicant has submitted an amendment, filed on 11/28/2005, amending claims, 1, 15-18, 21, and 23, and canceling claims, 5, 6, 8, 11, 12, 20, 22, and 24.

### ***Response to Arguments***

2. Applicant's arguments about the original limitations have been fully considered, but are not persuasive.

3. With respect to the independent claims, Applicant notes (page 8) that the manner Valco et al. tracks the plurality of states in a different manner than the one claimed. However, the applicant fails to show or to explain how is Valco et al.'s manner of tracking a plurality of states different from the manner claimed.

In addition, Applicant asserts that Victor et al. do not teach transitioning to a previous state that has been tracked, but instead a new state is transitioned to. Examiner respectfully disagrees and notes that Victor et al. teach transitioning to a previous state that has been tracked (Generally associated with a button link by selecting the button link or links with the Selection tool in Button View, a transition can be selected from a transition sub-menu in the Format menu. Some of the button link commands with which a transition can be associated include, Go To Map or Go To Slide n, Previous, Next Topic, and Pop-up Go To, col. 9, lines 2-8).

Applicant admits (page 9) that the slide identified in Victor et al.'s is a slide that was previously navigated to. However, Applicant argues that Victor et al. fail to teach transitioning to such a slide utilizing tracked states in the same context as claimed, and "determining whether code exists indicating a state other than the previous state to which the script should be transitioned in response to the request" is not met. Examiner respectfully disagrees and notes that Applicant fails again to explain how is the context of transitioning to such state of Victor et al. different from the one claimed, and why "determining whether code exists..." is not met. Furthermore, the Examiner notes that Victor et al. teach determining whether the script should be transitioned to a state other than the previous state (col. 9, lines 5-8); transitioning to the state other than the previous state in response to the request if the code exists (col. 9, lines 5-8); and wherein the code includes a command for identifying specific instructions relating to the transitioning (such as: Go to map or Go to slide n, col. 9, line 7). Therefore, Victor et al. stands as a valid Prior Art reference that overcomes the claimed subject matter claimed by applicant.

Still with respect to the independent claims, Applicant argues that Hoper et al. teach customizing a list of actions instead of a script with forms and fields. Examiner respectfully disagrees and notes that Hoper et al. teach customizing a script that includes an action library (col. 7, line 7) that is customizable. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to use the Hoper et al.'s feature to customize a script with forms and fields, because this would allow the user to choose his/her script of preference.

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4. With respect to claim 20, Applicant argues (page 10) et al. do not teach disabling to “the transitioning to the previous state”. Examiner respectfully disagrees and notes that transitioning to previous states is certainly an action and Valco et al. teach unquestionably canceling an action (col. 3, lines 16-17) that lead to “the transitioning to the previous state” (col. 4, lines 17-18 & Fig. 2).

5. As per claim 22, there are no further arguments beside the ones mentioned above with respect to the independent claims. Therefore, claim 22 is rejected for the same reasons as set above.

Therefore, the combined Prior Art references teach all of the claims limitations. As a result, the *prima facie* case has been met.

The amended office action is given bellow.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1 – 4, 9, 10, 13-19, 21, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Valco et al. (U.S 6, 826, 264, continuation of 09/558, 292, filed on April. 25, 2000) in view of Ito et al. (09/839, 309, filed on April. 23, 2001) and further in view of Victor et

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al. (U.S 5,363,482 issued on Nov. 8, 1994) and even further in view of Hopper et al. (U.S 5,367,609 issued on Nov. 22, 1994).

8. As per claims 1, and 15-18, Valco et al. teach a method, system, computer program, and logic of a voice mail system that:

receives a script (command) utilizing a telecommunication network (Abstract);

executes the script tracking a plurality of states (such as “MSG REVIEW”, “SETTING AREA”, “GREETING”, “PASSWORD”, Fig. 2);

transits to a previous state (setting) of the script upon receiving the request (a previous settings feature is repeated when receiving repeat command from the subscriber, column 4, line 17,18).

disabling or canceling an action (col. 3, lines 16-17) and transitioning to the previous state (message review, col. 3, line 17); and

transitioning to a previous state (e.g., the Setting Area, col.4, line 47) wherein the user is prompted for new input and retracting an input (col. 4, lines 47-53).

Valco et al. do not specifically teach a voice browser to execute the received script.

However, Ito et al. teach a voice browser apparatus (Abstract) to execute an input script.

Valco et al. and Ito et al. are analogous art because they are from the same field of speech recognition and application.

At the time of the invention it would have been obvious to a person of ordinary skill to have added the feature of using a voice command to Valco et al.’s system, in order to support

hands-free operations for the benefit of providing an easy and convenient system to access a network.

Valco et al. in view of Ito et al. do not explicitly teach determining whether code exists indicating a state other than the previous state to which the script should be transitioned in response to the request; transitioning to the state other than the previous state in response to the request if the code exists; and wherein the code includes a command for identifying specific instructions relating to the transitioning.

Victor et al., however, teach determining whether the script should be transitioned to a state other than the previous state (button link commands, col. 9, line 6); transitioning to the state other than the previous state in response to the request if the code exists (col. 9, lines 5-8); and wherein the code includes a command for identifying specific instructions relating to the transitioning (such as: Go to map or Go to slide n, col. 9, line 7).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have added the transition features of Victor et al. to the combined system of Valco et al. and Ito et al. in order to provide a system that enables the user to transit freely between states.

Valco et al. in view of Ito et al. and Victor et al. do not explicitly teach a script that includes customizable forms and fields.

Hopper et al., however, teach a script that includes customizable forms and fields (col. 7, lines 7-9).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have added the customizable script of Hopper et al. to the combined system of

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Valco et al., Ito et al. and Victor et al. in order to enable the user to choose his/her scripting preferences.

9. As per claims 2-4, Valco et al. and Ito et al. do not teach determining whether code exists indicating that the previous state should be skipped.

However, since Victor et al. teach transitioning to a state previous to the previous state in response to the request (see rejection of claim 1), determining whether code exists indicating that the previous state should be skipped is suggested by Victor et al. teachings, for otherwise, Victor et al.'s system does not transition to a state previous to the previous state.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have added the transition features of Victor et al. to the combined system of Valco et al. and Ito et al. in order to provide a system that enables the user to easily navigate to the desired state.

10. As per claims 9 and 10, Valco et al. teach storing, within each state, information that identify a type of event ("the message review area" column 4, line 20 wherein the user can review messages and select which state will be next).

11. As per claim 13, Valco et al. teach information that identifies an application such as walking the user through steps to "select/create a greeting" (column4, line 66).



12. As per claim 14, Valco et al. teach a method of navigating between the different states of a script, therefore the system used, necessarily discloses a pointer, otherwise the user would not be able to select his/her options.

13. As per claims 21 and 23, Valco et al. teach; an alert (Notification, col. 3, line 52) that is sent to inform the user of the changes made;

14. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Valco et al., Ito et al., Victor et al., Hopper et al., as applied in claim 1, and further in view of Cohen et al. (09/557, 988, filed on April. 25, 2000).

Neither Valco et al., Ito et al., Victor et al. nor Hopper et al. teach a system using JAVASCRIPT code.

However, Cohen et al. use Java programming language (column 6, line 59) to enable their voice browser (column 2, line 42).

At the time of invention it would have been obvious to a person of ordinary skill in the art, to have added the teaching of Cohen et al. by using Java coding with the combined system of Valco et al., Ito et al., Victor et al, and Hopper et al. for the benefit of having a developed, rapid, and reliable system.

### *Conclusion*

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdelali Serrou whose telephone number is 571-272-7638. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis I. Smits can be reached on 571-272-7628. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

17. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A. Serrou  
03/09/2006

  
**RICHEMOND DORVIL**  
**SUPERVISORY PATENT EXAMINER**